

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WORLDS INC.,

Plaintiff,

v.

MICROSOFT CORPORATION;

Defendant.

CIVIL ACTION NO. 6:20-cv-872-ADA

CASE READINESS STATUS REPORT

Plaintiff Worlds Inc. and Defendant Microsoft Corporation, hereby provide the Court with the following status report in advance of the initial Case Management Conference (CMC).

FILING AND EXTENSIONS

Plaintiff's Complaint was filed on September 25, 2020. There has been one extension for a total of forty-five (45) days to the Defendant's deadline to answer or move in response to the Complaint.

RESPONSE TO THE COMPLAINT

Defendant Microsoft Corporation filed its Motion to Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) on December 4, 2020.

PENDING MOTIONS

Defendant Microsoft Corporation filed two motions on December 4, 2020, both of which are pending.

- Defendant Microsoft Corporation's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (Dkt No. 21); and

- Defendant Microsoft Corporation's Opposed Motion to Stay Litigation Pending *Inter Partes* Review of the Patent-In-Suit (Dkt No. 22).

RELATED CASES IN THIS JUDICIAL DISTRICT

There is no related case in this Judicial District.

IPR, CBM, AND OTHER PGR FILINGS

IPR2021-00277 was filed on December 3, 2020 and the PTAB's Notice According a Filing Date in IPR2021-00277 has not yet issued. Therefore, the PTAB's deadline for rendering its institution decision in IPR2021-00277 has not been set.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff has asserted one patent and a total of four claims.

APPOINTMENT OF TECHNICAL ADVISER

Plaintiff believes that it would not be necessary for the Court to appoint a technical advisor to this case. In another pending lawsuit involving the asserted patent, *Worlds, Inc. v. Activision Blizzard Inc.*, 1:12-cv-10576 (D. Mass. filed March 30, 2012), and a second pending lawsuit involving a patent related to the asserted patent, *Worlds Inc. v. Linden Research, Inc., d/b/a Linden Lab*, 1:19-cv-01773 (D. Del. filed Sept. 20, 2019), a technical advisor was not appointed, and the parties were able to submit their *Markman* presentations without difficulty. For that reason, Plaintiff does not see a need for an appointment of a technical advisor in this case. Nevertheless, Plaintiff does not oppose the Court's appointment of a technical advisor, as it is a matter squarely within the Court's discretion.

Defendant requests a technical adviser to be appointed to the case to assist the Court with claim construction and other technical issues.

MEET AND CONFER STATUS

Plaintiff and Defendant conducted a meet & confer conference by telephone on December 9, 2020. The parties identified the following pre-Markman issues to raise at the CMC:

1. The parties request a hearing on Microsoft's Motion to Stay (Dkt. No. 22).
2. The parties request a hearing on Microsoft's Motion to Dismiss (Dkt. No. 21).
3. The parties have agreed to a limit of 25 interrogatories for this case.
4. In *Worlds, Inc. v. Activision Blizzard Inc.*, 1:12-cv-10576 (D. Mass. filed March 30, 2012), Activision filed a motion for summary judgment of invalidity of the asserted patent based on 35 U.S.C. §101. *Worlds, Inc. v. Activision Blizzard Inc.*, 1:12-cv-10576, Dkt. 273 (D. Mass. May 19, 2020) (Ex. 3). The court held argument on the §101 motion on July 22, 2020. As of the date of this Report's filing, no decision has issued on the § 101 motion.

DATED: December 11, 2020

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CERTIFICATE OF SERVICE

I certify that the foregoing document was served upon all counsel of record via the Court's CM/ECF electronic filing system in accordance with the Federal Rules of Civil Procedure on December 11, 2020.

/s/ Ryan S. Loveless

Ryan S. Loveless